

REMARKS

Claims 30-34 and 46-49 are pending in this application with claims 30 and 46 being independent claims. Claims 30 and 46 have been amended. No new matter has been added.

Interview with Examiner Richard Huston

Applicant would like to thank Examiner Huston for granting an interview with Applicant's representatives. During the interview the indefiniteness and enablement rejections regarding the combination of the functional language and substitutions of the modified heparinases was discussed. In order to overcome the two outstanding rejections, Applicant suggested removing the functional language, which appears to Applicant to be the focus of the outstanding rejections. Although not wholly definitive, Applicant wishes to thank the Examiner for indicating that the amendment would be considered favorably and appeared at the time of the interview to overcome the outstanding rejections.

Rejections Under 35 U.S.C. §112

The Examiner rejected claims 30-34 and 46-49 under 35 U.S.C. §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter Applicant regards as the invention. The Examiner has focused this rejection on the use of the phrase "at least 10% different" when referring to the product profile of the modified heparinases.

Although Applicant respectfully traverses the rejection of the claims on this basis, in order to expedite the prosecution of this application, Applicant has amended the claims to remove the functional language that the Examiner believes is indefinite. Therefore, this rejection is now moot.

Accordingly, withdrawal of this rejection is respectfully requested.

Rejections Under 35 U.S.C. §112

The Examiner rejected claims 30, 33, 34, 46, 47 and 48 under 35 U.S.C. §112, first paragraph as not being sufficiently enabled. The Examiner maintains that it is the genus of all of the claimed modified heparinases in combination with the functional limitations of the claimed mutants that renders these claims not enabled.

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Applicant has amended independent claims 30 and 46 to remove the functional limitations. Therefore, Applicant believes that the amendment is sufficient to overcome the rejection of the claims on this basis.

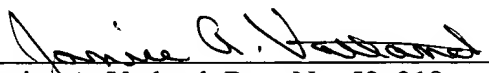
Accordingly, withdrawal of this rejection is respectfully requested.

CONCLUSION

In view of the foregoing amendments and remarks, this application should now be in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicant's representative at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Respectfully submitted,
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